

REMARKS

Applicant has carefully studied the outstanding Official Action mailed on April 13, 2010. This response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claims 1, 2 and 28 stand rejected under 35 USC §102(e) as being anticipated by Calderon et al. (US 7447542).

Claims 29-32 stand rejected under 35 USC §103(a) as being unpatentable over Calderon et al. (US 7447542) in view of Dullien (US 5370135).

Applicant respectfully traverses this rejection. There is a fundamental difference between the instant invention and Calderon et al. In Calderon et al., the position sensors may be placed on the fetus or the mother. However, there is no teaching of using the correlation between the sensed position of the position sensor on the fetus and the sensed position of the position sensor on the mother. Instead, Calderon et al. uses a function of the sensed position of the EMG sensor, that is, the three-dimensional position of the EMG sensors is processed. Specifically, the electrical muscular activity signals are processed as a function of their three-dimensional positions and as a function of the CTG monitor readings at the same time.

In contrast, the present invention teaches a different concept. The present invention obtains a correlation between the sensed position of the position sensor on the fetal presenting part and the sensed position of the position sensors on the mother to detect a pregnancy complication related to that correlation. This is described in the disclosure, page 20, lines 12-13 (“Reference is now made to Fig. 12, which illustrates using the system of Fig. 1 for early detection of a pregnancy complication”); “using the system of Fig. 1” is described on page 8, first full paragraph (“The progress of labor is monitored by, for example, a set of position sensors attached to the fetal head and to the various parts of the mother’s womb and pelvis...”); page 9, first full paragraph (“In an alternate embodiment of the present invention, the progress of labor is monitored on a non-continuous basis by a position sensor mounted on a hand held probe or on a thimble or other finger mount. In one embodiment, a user’s finger is used to manipulate the probe, and the finger has mounted on it a position sensor. The probe is touched to various points on the fetus and mother.”); and many other places; and page 14, lines 24-25 (“Computer 12 may compute the precise position and orientation of each sensor 1000 or sensor PS₁ - PS₄, and from these computations”) and other places.

Application No. 10/567,344

Claim 1 has been amended to clearly set forth this difference. Accordingly, claims 1, 2 and 28-32 are respectfully deemed allowable.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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